

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Vinston Boxton

v.

Case No. 23-cv-185-PB

FCI Berlin, Warden

ORDER

No objection having been filed, I herewith approve the Endorsed Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated July 6, 2023, deny the respondent's dispositive motion (Doc. No. 5) as moot and dismiss this case as moot, see Francis v. Maloney, 798 F.3d 33, 38 (1st Cir. 2015). The clerk shall enter judgment and close the case.

“`[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.”  
School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

/s/Paul Barbadoro  
Paul J. Barbadoro  
United States District Judge

Date: July 24, 2023

cc: Vinston Boxton, pro se  
Michael McCormack, AUSA